



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2404679

Applicant Name: Andrew Russin, Architect for Ethan Bell, Owner and Developer

Address of Proposal: 316 West Olympic Place

SUMMARY OF PROPOSED ACTION

Master Use Permit establish use for the future construction of a 5-unit townhouse in an environmentally critical area. Parking for five vehicles to be provided in underground garages under each unit. Project includes demolition of an existing residential structure.

The following approvals are required:

Administrative Design Review – Seattle Municipal Code (SMC) Section 23.41 design departures from the following Land Use Code development standards:

- SMC 23.45.014, Side setbacks,
- SMC 23.45.011, Structure width and depth
- SMC 23.45.016, Open space

SEPA - Environmental Determination - Chapter 25.09, Seattle Municipal Code (SMC).

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

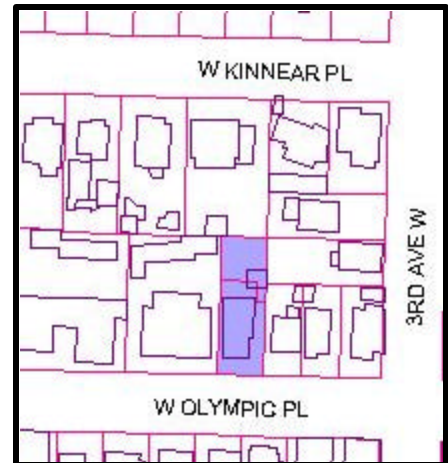
☐ DNS involving non-exempt grading or demolition or involving another agency with jurisdiction

* Early Notice DNS published August 5, 2004.

BACKGROUND DATA

Site Description

The approximately 7,500 square foot development site is located on the north side of West Olympic Place 150 feet from the intersection of 3rd Avenue West and West Olympic Place. The development site consists of two parcels and it is described as Lot 7, Block 20B, G. Kinnear's addition in the Queen Anne Hill Neighborhood of Seattle. Rectangular in shape, the subject site extends 50 feet along West Olympic Place and is approximately 150 feet deep. The site, currently developed with a two story house consisting of four apartment units, is zoned Multifamily Lowrise 3 (L-3) with a permitted density of one unit per 800 sq. ft. of lot area. The site topography slopes dramatically upwards south to north within the first 10 feet from sidewalk, and then gradually to a concrete retaining wall to the rear. Towards the rear, all portions of this development site are within the steep slope environmentally critical area.



All surrounding properties to the north of the site are zoned Single Family 5000 (SF-5000) and are primarily developed with single family residences. Areas extending several blocks west and east along West Olympic Place, and south of the site are zoned for and developed with multifamily residences. Zoning is more intensive further south around West Mercer Street with a mixture of multifamily and commercial structures within the Multifamily Midrise (MR) and commercial zones (C2-40, NC3-40, NC3-65).

Proposal:

The applicant proposes to construct a five-unit townhouse structure with parking for five vehicles proposed in underground parking garages under each unit and accessed via a driveway from West Olympic Place. Private usable open space will be provided both on the ground and on rooftop decks. The applicant has applied for Administrative Design Review in order to request design departures from the Land Use Code for open space, structure depth and side setback. Departures need to demonstrate how the proposed design better meets the early design guidance as stated below.

In order to comply with the City of Seattle Historic Landmark Preservation regulations, information on the existing building constructed in 1914, was sent to the Department of Neighborhoods, Landmarks Coordinator, to determine whether the building may be eligible for designation as an individual landmark based on the age of the building.

On December 20, 2004, based on the review of information submitted by the applicant, the Landmarks Preservation Board (LPB 461/04) determined that the building would likely not meet the criteria for designation as an individual landmark.

Public Comments:

Notice for Early Design Guidance was published on August 5th, 2004 and the comment period ended on August 18, 2004. Three comment letters were received during the comment period. Two respondents raised issues concerning parking impacts that will result from future parking demand, while one respondent believed that the request for departures from the Land Use Code development standards would degrade neighborhood design character.

Notice of application for a Master Use Permit for Administrative Design Review was published on November 25, 2004 and the comment period ended December 12, 2004. No comment letter was received.

DIRECTOR'S ANALYSIS – DESIGN REVIEW

Design Guidance and Recommendations:

After visiting and analyzing the site in its context and the conceptual massing and parking scheme provided by the proponent, and reviewing public comments, the Director provided the following siting and design guidance and identified by letter and number those siting and design guidelines found in the City of Seattle's "*Design Review: Guidelines for Multifamily and Commercial Buildings*" of highest priority to this project. Consistent with the Administrative Design Review process, the Director's decision is based on the extent to which the proposed project meets the applicable design guidelines and in consideration of public comments on the project. Copy of the Early Design Guidance packet, dated August 18, 2004, is available in the project file. Following the initial DPD guidance below, the DPD analysis of the design response and recommendations are provided below in italics.

A. Site Planning

A-1 Responding to Site Characteristics:

The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

The siting of the five unit-townhouse building should respond to the change in topography from lower at the street to higher towards the rear of the lot. The northern portion of the site is currently wooded and is the only undeveloped portion of the lot. The project design should consider site characteristics that would include but be limited to the following: (i) Site the building to avoid or lessen the impact of development on an environmentally critical area such as the steep slope existing towards the rear of the lot, (ii) The project design should preserve the existing steep slope area as open space buffered from any development activities; and (iii) Where neighboring buildings have responded to similar topographic conditions on their sites in a consistent and positive way, consider similar treatment for the new structure.

The final design of the project situates the proposed structure away from the rear property line and steep slope area a distance of 22.5 feet. The area will be landscaped as open space with no accessory structure.

A-5 Respect for Adjacent Sites:

Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

The siting of building should reinforce the residential spatial standards characterized along West Olympic Place. There should be a front entry on West Olympic Place and the structure front setback should generally be compatible with the prevailing setbacks on the block. Due to the density established by surrounding apartment buildings and the proximity of single family residences, the project should be designed to ensure that privacy for both adjacent residences and potential occupants of this project is maintained. Minimize windows to living spaces which might infringe on the privacy of adjacent residents but consider the comfort of residents in the new building.

The final site plans has situated the proposed structure towards the west and away from the existing single family residence to the east. A departure from the side setback has been requested to meet the guideline. The 15-foot front setback on West Olympic Place is similar to other setbacks along the street and is similar to the setback of the grand porch of the existing house (approximately 20 feet). Privacy with neighbors is preserved to the west by using smaller windows, and to the east by providing an 18-foot setback from the east property line. Applicant is proposing a 5-foot high fence on top of a low retaining wall to further screen the site from abutting property to the east. To the west, a similar screening fence is proposed to create some privacy for the individual unit ground porch open spaces abutting the west property line.

A-6 Transition between Residence and Street:

Use space between the building and the sidewalk to provide security, privacy and interaction among residents in the neighbors.

Design treatments, lighting, high quality landscaping and other appropriate solutions, should be included that provide clear and easy transition between the entrance and street. With the high bank street front, the design of the ground floor of unit one should strive to create a sense of privacy and separation from the street activity, while creating more opportunity for social spaces pleasing to pedestrians at the street and sidewalk level below. Unit one entrance should face the street.

The proponent's MUP plans submitted on November 9th, 2004, responded to the early design guidance, which requested entrance of unit A face the street. However, with the high bank street front, the design should provide unit concrete with reveals to break the blank wall and bring the height of the existing wall to match that of the rockery wall pattern existing to the west of the site. As a condition of the MUP, the proponent will need to provide a wall detail of the high bank street wall showing a form of units of concrete with reveals to break the appearance of a blank

wall and detail section of the wall on the site plan. The high bank front yard will be landscaped with shrubs, vines, and a small tree to provide privacy from the street and visual interest for pedestrians.

A-7 Residential Open Space:

Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

Creating usable attractive and active open space should be a priority for each unit. The design should pay close attention to the location and design of stoop decks, balconies and upper level terraces. The first unit door and stoop front should face West Olympic Place. Creating high quality landscaping nooks and spaces, which meet Land Use Code minimum dimension requirements, should offset any reduction in required open space.

Private usable well landscaped open spaces are provided on grade for units A and E. Generous roof terraces with commanding views are provided for units B, C and D. A departure from open space standard has been requested to meet the guideline. All front door stoop areas have entry canopies and landscaped nooks. As recommended by early design report, unit A has an entrance landing, canopy and steps facing West Olympic Place.

A-8 Parking and Vehicular Access:

Siting should minimize the impact of automobile parking and driveway on the pedestrian environment, adjacent property and pedestrian safety.

The impacts of automobiles should be minimized. Attractive, lighted areas to enhance the pedestrian environment along the street should be emphasized. The driveway should be non-obtrusive from adjacent properties.

Private garages are tucked underground to be less obtrusive. The driveway will have a fence along the east side to provide screening. Exterior lighting is concentrated on the pedestrian walkway and entrances not on vehicular paths.

B. Height, Bulk and Scale

B-1 Height, Bulk, and Scale Compatibility:

Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects in zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.

While the surrounding properties are zoned L-3, multifamily density varies and single family structures also occur in the immediate vicinity. With the location of open driveway to the east of the lot, the design

emphasis should provide staggered units and modulation (especially on the east where existing single family buildings are one to two stories in height), to create visual interest. Materials and design themes should be used to create good transition in bulk and scale to the east of the site.

The proposed size and bulk of the structure is consistent with the multifamily character as established by the neighboring homes. The pitched roof lines, height, fenestration, materials, and architectural detailing are all reminiscent of the older structures in the area. Large bay windows along the east side provide consistent modulation and visual interest. Varied façade materials help scale down the townhouses. Small bay windows on the west side help to break up the façade mass.

C Architectural Elements and Materials

C-1 Architectural Context:

New building proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

The architectural context along West Olympic Place consists of a mixture of architectural styles varying from craftsman's style houses and three story brick and/or wood framed apartments to ornate Spanish and Mediterranean style architecture. The proponent should take this opportunity to use materials and fenestration that reflect the neighborhood context and character. The design should be highly textured and visually interesting. The proponent may take cues from new townhouse development located at the corner of North Galer Street and Warren Avenue North (118 North Galer Street).

The proposed design includes roof lines and eaves generally found in the older residences in the surrounding neighborhood.

C-2 Architectural Concept and Consistency:

Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept

Building should exhibit form and features identifying the functions within the building.

In general, the roofline or top of the structure should be clearly distinguished from its façade walls.

The appearance of the south elevation should relate to the best designs in the area, reflecting even the grand scale of the existing house on the site. Stairs should grace the front doors with landscaped front yards. Color and modulation should be used to help define the units. Lighting and landscaping should be included and designed to enhance the overall concept.

The townhouses are designed to fit in with the older buildings along West Olympic Place. Traditional materials and bay window modulation help scale the building to the pedestrian level. Each unit is clearly defined and has a landscaped front stoop with exterior lighting.

C-4 Exterior Finish Materials:

Building exterior should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

The design should use material typical to Seattle such as, clear or painted wood siding, shingles, brick, stone, and ceramic and /or terra-cotta tile. Proponent should provide samples of finished materials at MUP intake.

The proposed materials include brick, painted panels, vertical wood siding and metal panels.

D Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances:

Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

Pathways and open spaces should be well designed with a variety of landscape elements such as walking surfaces of decorative pavers and landscape elements that enhance the space and architecture.

The proposed design shows the pedestrian path adjacent to the driveway with stamped concrete surface with coloring or decorative pavers. All stoops have overhead canopies and exterior lighting.

E Landscaping

E-2 Landscaping to Enhance the Building and/or Site:

Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

Landscaping should reinforce the positive landscape character of neighboring properties and the abutting streetscape. Here this means retaining the relationship of the existing grade to the streetscape.

The front setback on West Olympic Place to be landscaped with trees, shrubs, vines, low walls, a trellis and steps facing the street. It is elevated above the street to a similar height as the existing front porch. This helps to provide privacy, views and access to the main living floor, while maintaining a visually interesting buffer to the street.

E-3 Landscape Design to Address Special Site Conditions:

The landscaping design should take advantage of special on site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

Special attention should be paid to the landscaping opportunities afforded by the high bank along the street frontage. Consideration should be given to landscape treatment that provides visual interest for pedestrians.

The embankment along the southern edge of the proposed site includes a variety of perennial flowering and non-flowering plants. Each entry stoop area has a small tree and vine groundcover. The rear setback will be landscaped to blend into the existing green space to the north. The variety of plantings will provide satisfactory visual interest to pedestrians passing on the sidewalk.

Departure from Development Standards

The following three **departures** from the standards set forth in the Land Use Code (23.45.016-A3a, 23.45.011-A, 23.45014-B) were requested by the applicant.

Development Standard	Requirement	Proposed	Comment	Action by the Director
SMC 23.45.016-A3a Open Space Requirements	Average 300 sq. ft of private usable, directly accessible open space per unit, with no unit having less than 200 sq. ft.	Two of the units (Unit A and E) will have at-grade private usable open space (450 sq. ft and 966 sq. ft respectively). The middle units (namely, unit B, C, and D) each will have 270 sq. ft open space on private rooftop decks.	The total open space is proposed at approx. 1,686 sq. ft. total. Considering that three of the open spaces are being provided on rooftop decks, none of these open space is less than 200 sq. ft.	Considering the overall high quality of the design and location of the open space, the Director supports and <u>approves</u> the request to allow open space on private rooftop decks.
SMC 23.45.011-A. Structure width and depth in Lowrise Zones	Apartments and ground related housing including townhouses, 65% depth of lot. In this case the lot depth	The total structure depth proposed is 112.5 ft. (75% of lot depth).	Allowing additional building depth is proposed because the row of five townhouses creates a well	The Director <u>approves</u> the proposed design because the approved plans intent to create a

	is 100 ft x 65% = 65 ft.		proportioned and unified building. Even with the additional building depth the site still preserves the required front and rear setbacks.	well proportioned and unified building has been achieved.
SMC 23.45.014-A. Side Setback Lowrise Zones.	Side setbacks are proportional to the structure depth and height of the side façade. In this case, the structure depth and height of the proposed structure would require an average of 12 ft and minimum setback of 7 ft.	The west side setback is proposed to average 7 ft and 7 ft minimum	Allowing the reduced west side setback is necessary in order to recover the floor area lost from stepping the building away from the east property line and from the existing single family residence to the east.	The Director supports and <u>approves</u> the reduced setback because the approved plans uses screening elements such as cedar wood fencing and open trellis with vine plants to enhance the existing retaining wall and provide good privacy from the abutting building to the west.

DPD's Design Review Decision:

Design, siting, or architectural details not specifically identified or altered in these recommendation are expected to remain as presented in the MUP plans submitted on November 9, 2004. After considering the site and context, receiving public comments, reconsidering the previously identified design priorities, and reviewing the plans and rendering, DPD recommends **CONDITIONAL APPROVAL** of the subject design including the three departures from development standards, subject to the following:

1. The subject design shall be updated to show more small-scale units for the proposed new retaining wall at the street. This could be accomplished by form-board to create units that could be of similar scale as the retaining wall along the adjacent property to the west or with modular pre-cast units or natural rock. Creating a finer scale for the wall provides desirable continuity along the street front.

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. The design of the proposed project was found by DPD to adequately conform to all applicable Design Guidelines. DPD finds the proposed design to be consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. Therefore, The Director approves the proposed design and requested departures.

ANALYSIS – SEPA:

The proposal site is located in a steep slope critical area, thus the application is not exempt from SEPA review. However, SMC 25.05.908 provides that scope of environmental review of projects within critical areas shall be limited to: 1) documenting whether the proposal is consistent with the City's Environmentally Critical Areas (ECA) regulations in SMC 25.09; and 2) Evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations. This review includes identifying additional mitigation measures needed to protect the eca in order to achieve consistency with SEPA and other applicable environmental laws.

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential environmental impacts on this project was made in the threshold determination and environmental checklist prepared by Andrew Russin dated September 29, 2004. The information in the checklist, the supplemental information submitted by the application, field inspection, public comments and the experience of the lead agency with similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, that "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Several adopted City codes and/or ordinances provide mitigation for identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Ordinance (grading, site excavation and soil erosion); Building Codes (construction standards); and ECA Ordinance. Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of

identified impacts. Due to the temporary nature and limited scope of these impacts, they are not considered significant. Although not significant, these impacts are adverse, and in some cases, mitigation is warranted.

Short-term Impacts

The following short-term demolition or excavation-related impacts on the environmentally critical areas are anticipated: potential erosion during excavation and general site work. Due to the limited scope and short duration, this impact is not considered significant.

Earth

The ECA Ordinance and Directors Rule (DR) 3-93 requires submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with steep slopes, liquefaction zones, and/or a history of unstable soil conditions. Pursuant to this requirement the applicant submitted an application for an ECA exemption under project #2405757 in July 28, 2004. A limited exemption was granted, however, ECA review is required at the time of building permit application. In this respect, the ECA Steep Slope Development Standards, such as the threshold disturbance level of 30 percent of Steep Slope Critical Areas are waived for this site. All other ECA submittal, General and Landslide-Hazard, and applicable development standards will still apply for this development. However, additional information showing conformance with the Stormwater, Grading, and Drainage Control Code will be required prior to issuance of the building permits

Long-term Impacts

Potential long-term impacts on the environmentally critical areas that may occur as a result of this project include: 1) increased surface water runoff from greater site coverage by impervious surfaces. This long-term impact is not considered significant because the impact is minor in scope.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decision pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.303(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.303(2)(C).

CONDITIONS -SEPA.

None

CONDITIONS – DESIGN REVIEW

Prior to MUP Issuance, the applicant shall:

2. Provide updated drawings for the retaining wall at the street showing a smaller scale pattern for the wall. This could include a form-board to create units that could be of similar scale as the retaining wall along the adjacent property to the west or with modular pre-cast units or natural rock.

The following conditions are non-appealable:

3. Any proposed changes to the exterior of the building or the site must be submitted to DPD for review and approved by the Land Use Planner, Christopher Ndifon (206)684-5046. Any proposed changes and improvements in the public right-of way must be submitted to DPD and SDOT for review and final approval by SDOT.
4. Embed all of these conditions in the cover sheet for the MUP permit and all subsequent permits including updated MUP plans, all building permit drawings.
5. Embed colored drawings of all four updated building elevations into the building permit plans set.

Prior to Issuance of a Certificate of Occupancy:

6. Compliance with the approved design features and elements, including exterior materials, roof pitches, façade colors, landscaping and ROW improvements, shall be verified and approved by the Land Use Planner, Christopher Ndifon (206) 684-5046. Inspection appointments with the Planner must be made at least 3 working days prior to inspection.

Signature: _____ (signature on file) Date: February 7, 2005
Christopher Ndifon, Land Use Planner

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